

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DIANE DEARING,

Plaintiff,

- vs -

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

: Case No. 3:10-cv-108
:
: District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz
:
:
:

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #8), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that the Complaint is dismissed for failure to comply with Third Amended Magistrate Judges' General Order No. 11 and for failure to prosecute.

September 3, 2010.

**s/THOMAS M. ROSE*

Thomas M. Rose
United States District Judge